

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

KEVIN D. RUTLEDGE, §
Petitioner, §
VS. § CIVIL ACTION NO. 4:08-CV-338-Y
§
NATHANIEL QUARTERMAN, Director, §
T.D.C.J., Correctional §
Institutions Div., §
Respondent. §

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2254 of petitioner Kevin D. Rutledge, along with the January 8, 2009, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until January 29 to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the findings, conclusions and recommendation. The Court concludes that the petition for writ of habeas corpus should be dismissed for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

Kevin D. Rutledge's petition for writ of habeas corpus under 28 U.S.C. § 2254 is DISMISSED as moot.

SIGNED February 9, 2009.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE